

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 14,534

IN THE MATTER OF:

Served January 31, 2014

Application of LOBA-USA, INC.,	)	Case No. AP-2013-440
Trading as LOBATOURS, for a	)	
Certificate of Authority --	)	
Irregular Route Operations	)	

By letter dated January 3, 2014, applicant was notified of acceptance of its application for a certificate of authority and directed to furnish additional information no later than January 17, 2014. The letter cautioned applicant that failure to timely furnish the information would result in delay or dismissal of the application.

The letter noted that applicant's proposed trade name, "Lobatours", has been approved by WMATC for use by Loba Transit and Tours, Inc., WMATC No. 1665. The letter directed applicant to file a statement explaining why, given the potential for name confusion among the public, it would be in the public interest to approve applicant's use of the "Lobatours" trade name. Applicant filed a response on January 9, 2014, that states: "We do not intend to confuse the public with this." The issue is not applicant's intent but the potential for confusion, which applicant fails to address in its response.

Under the Compact, an application to obtain a certificate of authority shall be made in writing, verified, and shall contain the information required by the application form and accompanying instructions.<sup>1</sup> An applicant may be required to publish notice of the application in a newspaper of general circulation in the Metropolitan District and furnish any supplemental information necessary for a full and fair determination of the application.<sup>2</sup> Failure to comply with the Commission's application requirements warrants dismissal.<sup>3</sup>

THEREFORE, IT IS ORDERED: that the application of Loba-USA, Inc., trading as Lobatours, for a certificate of authority is hereby dismissed without prejudice for want of prosecution.

FOR THE COMMISSION:



William S. Morrow, Jr.  
Executive Director

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<sup>1</sup> Compact, tit. II, art. XI, § 8; Regulation No. 54-02.

<sup>2</sup> Regulation No. 54-04(b).

<sup>3</sup> *In re One, LLC, t/a Bon Voyage*, No. AP-04-103, Order No. 8212 (Aug. 5, 2004).